

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

JASON WILLIAMS,

Plaintiff,

CERTIFIED COPY

vs.

Case No. 5:19-cv-00475-BO

AT&T MOBILITY, LLC,

Defendant.

CONFIDENTIAL
DEPOSITION OF RAY HILL
30(b) (6)

November 17, 2021

Page 1 - 301

9:02 a.m. - 6:48 p.m. EST

REMOTELY REPORTED VIA VIDEO CONFERENCING

REPORTED BY:

Tamara L. Houston
CA CSR No. 7244, RPR, CCRR No. 140
FILE NO. 21-105383

CONFIDENTIAL TRANSCRIPT

1 Q. All smartphones on the AT&T network use SIM
2 cards?

3 A. It sounds like that was worded as a
4 statement. Were you asking a question?

11:24:23 5 Q. Yeah. I'm just trying to -- totally trying
6 to understand all of this.

7 Do smartphones -- do all smartphones on
8 AT&T's network use SIM cards?

9 A. When -- when we activate a phone number to
10 a SIM card, the customer can put that into a device,
11 in this case a smartphone, registered to the network
12 to be able to be used.

13 Is that what you're asking?

14 Q. Yeah.

11:24:51 15 So are you familiar with the term "SIM
16 swap"?

17 A. Yes.

18 Q. And what do you understand that term to
19 mean?

11:25:05 20 A. You move the phone number from SIM A to
21 SIM B.

22 Q. And what effect would moving the phone
23 number from SIM A to SIM B have?

24 MR. BRESLIN: Form. Calls for speculation.
25 And vague.

CONFIDENTIAL TRANSCRIPT

1 THE WITNESS: I -- I didn't hear the first
2 part of the question.

3 BY MR. LAVIGNE:

4 Q. What effect would moving a phone number
11:25:33 5 from SIM A to SIM B have?

6 MR. BRESLIN: Same objection.

7 THE WITNESS: The phone number would
8 transfer from SIM A, making SIM A no longer being
9 usable for your communications. And then your phone
11:25:51 10 number would be on SIM B. So SIM B, if put into a
11 device, would be able to be used for your
12 communication.

13 BY MR. LAVIGNE:

14 Q. So the phone with SIM A in this
11:26:08 15 hypothetical would -- would not be able to make calls
16 or text messages; is that correct?

17 MR. BRESLIN: Hey, Chris, I'm sorry. Your
18 microphone is breaking up a little bit. I don't know
19 if it's -- anything covering it. I didn't hear the
11:26:17 20 question. I'm sorry.

21 MR. LAVIGNE: Sorry.

22 BY MR. LAVIGNE:

23 Q. In this hypothetical, what you just
24 described, if -- if SIM A -- if a phone number is
11:26:25 25 swapped from SIM A to SIM B, SIM A would no longer be

CONFIDENTIAL TRANSCRIPT

1 able to make calls and text messages via AT&T's
2 network; is that correct?

3 A. For general calls, yes. They would still
4 be able to call 911, still be able to call 611.

11:26:45 5 Q. Back in --

6 A. And then they -- they -- I think, you know,
7 as far as the device itself, it wouldn't be with the
8 number. The device itself, potentially they could do
9 Wi-Fi calling or whatever.

11:27:03 10 Q. If -- do you recall when SIM cards were put
11 into use with smartphones?

12 A. We -- we were under the GSM platform which
13 had SIM cards. And so probably whenever the
14 Blackberry -- was probably one of the first
15 smartphones. Then you had the iPhone. So GSM I
16 think launched around 2005, 2006, somewhere around
17 there.

18 Q. Understood.

19 So from 2005, '06 to 2018, did the nature
20 of the SIM card itself change in any way, to your
21 understanding?

22 MR. BRESLIN: Form. Vague.

23 THE WITNESS: What -- I mean, physically
24 change? There were encryption changes, general items
25 like that that are probably more technical than what

CONFIDENTIAL TRANSCRIPT

1 that it's telling the rep what to do. And so the --
2 the rep is going to be navigating some of that, but
3 you're going to have a set of maybe -- maybe word
4 choice is "permissions" or "capabilities" based --
5 based on what channel you are in.

6 Q. Okay. Is "prompts" an accurate way to
7 describe it?

8 (Court reporter requested clarification.)

9 MR. LAVIGNE: I don't need to ask the
0 question. It's...

11 | BY MR. LAVIGNE:

12 Q. So going to the specific entry starting
13 on -- referring to the entry that I just highlighted,
14 November 5, 2018, at 18:09:12 military time, do you
15 see this entry that I've highlighted under the box
16 "User Text"?

17 | A. Yes.

18 Q. And you see where it refers to Rep

19 | **A.** **Yes.**

20 Q. And below that, it says, "Working User I.D.
21 is" -- the same alphanumeric combination -- " [REDACTED]."

22 Do you see that as well?

23 | **A.** **Yes.**

Q. What -- do you know what this refers to?

25 A. Yes. The -- it is telling you -- if you

CONFIDENTIAL TRANSCRIPT

1 remember, we were talking about individual user I.D.s
2 earlier. So this is telling me rep and whatever that
3 individual user I.D. is, and then it's telling me
4 what kind of profile do they have at that moment.

13:25:34 5 So this is [REDACTED] so it's
6 letting me know it's an authorized retail with a
7 [REDACTED]. So I know this wasn't a [REDACTED]
8 profile. So you have a [REDACTED] profile.

9 They tell me they entered the customer
10 verification screen. So when you search a -- a
11 manual search, that you could search for an account
12 by [REDACTED] by [REDACTED], there's
13 multiple different ways that you can do the search --
14 when you get to the screen that says, "All right.

13:26:06 15 Here's the name of the person that your -- you need
16 to confirm the identity of," we call that the
17 customer verification screen.

18 So we're -- we're recording an account note
19 to prove that the rep saw the customer's account name
13:26:20 20 at that point.

21 The working user I.D. part, that's just
22 redundancy. When we were building some of the
23 account note logic, sometimes that -- that was a
24 default item that they had at the end. So it's just
13:26:38 25 redundant.

CONFIDENTIAL TRANSCRIPT

1 Q. And so [REDACTED] refers to a retail
2 manager who apparently was looking up the customer
3 and entered the customer verification screen on Opus.
4 Is that -- is that an accurate reflection of this
13:27:04 5 account note?

6 A. It comes from the vendor space. In
7 co-employment, we don't identify if somebody is a
8 manager of the location or do they have [REDACTED]
9 access, [REDACTED]

13:27:17 10 So I -- I always take the interpretation
11 this is telling me the user I.D. In this case, this
12 is the person belonging to the -- the user I.D.
13 [REDACTED]. And this tells me what level of access do
14 they have at that moment.

13:27:35 15 Q. And what level of access did [REDACTED]
16 have?

17 MR. BRESLIN: Form. Misstates prior
18 testimony.

19 (Court reporter requested clarification.)

13:27:52 20 MR. LAVIGNE: I'll redo my question.

21 BY MR. LAVIGNE:

22 Q. So what -- well, actually, I don't have to.
23 You said you -- you said -- I believe your
24 answer was [REDACTED]

13:28:01 25 A. Correct. [REDACTED]

CONFIDENTIAL TRANSCRIPT

1 Q. And what --

2 A. Profile.

3 Q. What account access would a [REDACTED]

4 [REDACTED] have?

13:28:15 5 A. [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Q. And so moving up -- well, hold on. Just

13:28:35 10 staying on this entry that we've just been talking
11 about, do you know if [REDACTED] refers to Stephen
12 Defiore?

13 A. Yes, that -- I recall that's his name. I
14 don't remember the exact spelling, but I remember
13:28:59 15 that sounded similar to that name.

16 Q. Right. So that -- that alphanumeric code,
17 that user I.D., you believe and you understand refers
18 to Stephen Defiore?

19 A. Correct.

13:29:10 20 Q. So moving up, you mentioned [REDACTED] of
21 access that [REDACTED] Stephen Defiore
22 would have to a customer account. Moving to the
23 entry which were -- [REDACTED]

24 [REDACTED] is that correct?

13:29:37 25 A. They would have that capability, correct.

CONFIDENTIAL TRANSCRIPT

1 [REDACTED] It will show me [REDACTED]

2 [REDACTED] Or is it one of the authorized users? [REDACTED]

3 [REDACTED]
4 I -- I check -- manually, I check the I.D.

13:46:56

5 One piece I've failed to communicate is that [REDACTED]

6 [REDACTED]
7 [REDACTED]
8 [REDACTED]

9 That's what that account note is. That's

13:47:08

10 capturing that customer's consent to be able to
11 proceed. That -- that's not proof that it -- that's
12 what they did. I don't know if that's what they did
13 or not based on this account note, but it's telling
14 me that [REDACTED]

13:47:23

15 Could be that the customer ends up having a
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

19 So that -- there would normally be another
20 account note saying, "All right. You gave me
21 consent, but now let's put in an account note that
22 says, [REDACTED]
23 account [REDACTED]

24 Q. And so is the -- the top entry at 18:11:35,

13:47:52

25 [REDACTED] this is what you were

CONFIDENTIAL TRANSCRIPT

1 talking about earlier -- is that indicative of
2 whether or not [REDACTED] Stephen Defiore,
3 [REDACTED]
4 [REDACTED]

13:48:11 5 A. I -- I don't know based on the account
6 note. [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]

13:48:27 10 [REDACTED]
11 At this time, we had the ability to do a
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]

13:48:38 15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]

13:48:50 20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

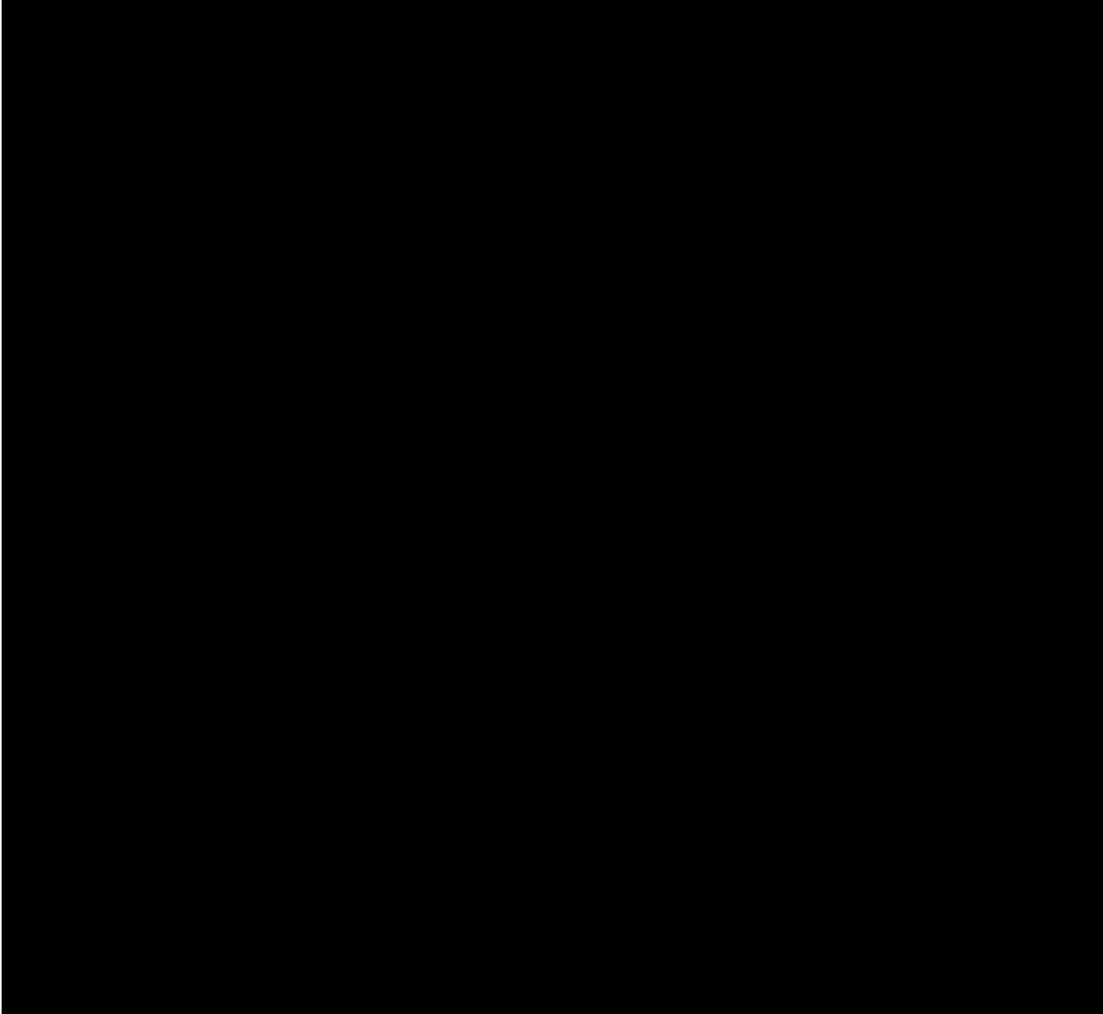
13:49:03 25 [REDACTED]
[REDACTED]

CONFIDENTIAL TRANSCRIPT

1 And then -- and because of -- in a retail
2 environment, what happens is if -- if a customer was
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

13:49:16
13:49:31
13:49:44
13:50:03
13:50:21

18 Q. So it sounds like there's -- is it correct
19
20
21
22
23
24
25



CONFIDENTIAL TRANSCRIPT

1

2

3

4

MR. BRESLIN: Form. Misstates.

13:50:35 5

You can answer, Ray.

6

THE WITNESS: So one even if we scan the

7

8

9

13:50:49 10

11

12

13

14

13:51:01 15

16

17

18

19

13:51:13 20

21

22

23

24

And only in the retail environment, it will

13:51:24 25

CONFIDENTIAL TRANSCRIPT

1

2 BY MR. LAVIGNE:

3 Q. I understand.

4 One question -- a couple questions, though.

13:51:35

5

6

7

8

9

13:52:01

10

11

12

13

14

13:52:19

15

16

17

18

19

13:52:36

20

21 Q. So unpack that a little bit for me. We've
22 just described [REDACTED]

23

24

13:52:52

25